

an adjustment member for supporting said wall frame and said base rail, said
adjustment member having a threaded stem for engaging said threaded sleeve of said connector,
and said threaded stem including a tool receiving upper end portion disposed between said base
rail and said lower member; and
a tool receiving aperture in said lower member aligned vertically above said tool
receiving upper end portion of said threaded stem of said adjustment member.

(Twice amended) The wall panel assembly of claim 4 including a base panel
member secured to said lower member of said frame.

Cancel claim 7.

RESPONSE

Claim 7 has been canceled so that claims 1-6 and 8 are now in the application.

The applicant thanks the Examiner for indicating allowance of claims 1-3 and 8.

Claims 4-6 have been rejected under section 102 based on Goodman et al. U.S.
6,128,877. While Goodman et al. illustrates a frame for a wall as well as a floor track 44 and a
jack screw 37, there is no arrangement made to have access to the upper end portion of the jack
screw to allow it to be engaged by a rotary tool.

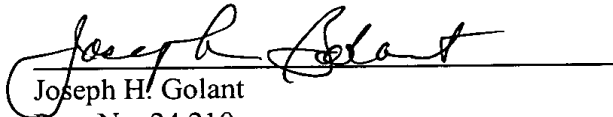
The reference to Welch U.S. 5,381,994 illustrates a threaded stem 60 passing
through both a bottom member 40 and a top member 30. The upper end portion of the threaded
stem is not disposed between the top and bottom members but rather extends through the top
member where it is engaged by a retainer nut 90. There is no frame member with an aligned tool
opening situated above the upper end portion of the threaded stem.

It is clear that neither reference includes all of the limitations now included in claim 4 nor would all the limitations be found in a combination of the two references. Claims 5 and 6 are dependent from claim 4 and will be allowable if claim 4 is allowable.

In view of the above amendments and comments, the Examiner is respectfully requested to reconsider claims 4, 5 and 6 and indicate allowance.

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Respectfully submitted,


Joseph H. Golant
Reg. No. 24,210
JONES, DAY, REAVIS & POGUE
77 West Wacker Drive
Chicago, Illinois 60601-1692
(312) 269-1534

Marked-Up Version

In the Claims:

Amend claims 4 and 6 as follows:.

(Twice amended) A modular panel assembly comprising:

a wall frame including a generally horizontal lower member;

a base rail ⁴⁰ beneath said lower member;

⁶⁰ a connector attached to said base rail and to said lower member wherein said

frame is supported by said connector above said base rail, said connector including a threaded

sleeve[at least two glide assemblies connecting said base rail to said lower member of said

frame, said glide assemblies each including a vertically oriented adjustment member];

⁶⁰ an adjustment member for supporting said wall frame and said base rail, said

adjustment member having a threaded stem for engaging said threaded sleeve of said connector,

and said threaded stem[including a tool receiving upper end portion disposed between said base

rail and said lower member;]and

^{34,44} a tool receiving aperture[apertures] in said lower member aligned vertically above

said tool receiving upper end portion of said threaded stem of said adjustment member[each

adjustment member whereby said frame is leveled on a floor by inserting a rotary tool through

said apertures and rotating said adjustment members of said glide assemblies].

6. (Twice amended) The wall panel assembly of claim 4 including a base panel member secured to said lower member of said frame[and said base rail].